

**OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER
ADMINISTRATIVE REVIEW AND FINAL AGENCY ACTION OF ADMINISTRATIVE LAW
JUDGE'S DECISION AND ORDER
AGENCY ACTION No. 9**

United States of America, Complainant v. Old Town Mexican Cafe,
Respondent; 8 U.S.C. 1324a Proceeding; Case No. 88100014.

**Modification by the Chief Administrative Hearing Officer of the
Administrative Law Judge's Decision and Order**

On June 7, 1988, the Administrative Law Judge assigned to this case issued an Order regarding the above-styled proceeding, entitled ``Decision and Order.''. The Administrative Law Judge's Decision and Order was based on a consent agreement between the parties. Pursuant to Title 8, United States Code, Section 1324a(e)(6) and Section 68.52 of the Interim Final Rules of Practice and Procedure for this Office, appearing at 52 Fed. Reg. 44972-85 (1987) [hereinafter the Rules] (to be codified at 28 C.F.R. Part 68), the Chief Administrative Law Judge's Order, and in accordance with Section 68.52 of the Rules, modifies the Order as follows:

Covenants 1, 4, 7, 15 and 20 of the Settlement Agreement, which the Administrative Law Judge incorporated and made a part of the order, are amended to read:

1. That the Respondent will pay the total sum of One Thousand One Hundred Dollars (\$1,100.00) in full settlement and satisfaction of any and all claims set forth in Exhibit A of the Complaint;

4. That in a compromise settlement of Allegations 1-2 in the Complaint, the Respondent agrees to pay Nine Hundred Dollars (\$900.00) in cash or cashier's check upon execution of this Agreement and approval by the Administrative Law Judge provided that the Chief Administrative Hearing Officer does not vacate or modify the Administrative Law Judge's order pursuant to Section 68.52 of the Interim Final Rules of Practice and Procedure for the Office of the Chief Administrative Hearing Officer, appearing at 52 Fed. Reg. 44972-85 (1987) [hereinafter the Rules] (to be codified at 28 C.F.R. Part 68);

7. That in a compromise settlement of Allegations 3(a), 3(b), and 4 of the Complaint, Respondent agrees to pay One Hundred Dollars (\$100.00) on each individual named therein, a total of Two Hundred Dollars (\$200.00) in cash or cashier's check upon execution of this Agreement and approval by the Administrative Law Judge provided that the Chief Administrative Hearing Officer does not vacate or modify the Administrative Law Judge's order pursuant to Section 68.52 of the Rules;

15. That the Immigration and Naturalization Service releases and discharges the Respondent, parent corporations, subsidiaries, associated and affiliated entities, their officers, directors, representatives, employees, agents, successors, and assigns (hereinafter the ``companies'' and ``person'') from any further penalties under Section 274A of the Act for the violations as set forth in Exhibit A of the Complaint, except for those penalties listed hereinafter, and this Agreement shall constitute a complete release from the bar to any and all causes of action, claims, rights, liens or subrogated interests, by reason of or arising from the violations as set forth in Exhibit A of the Complaint, except for those penalties listed hereinafter. Specifically excepted from the effect of this paragraph are penalties listed in Section(s) 274A(e)(5); and

20. That this Agreement is effective on the date this Agreement is executed by the Parties and approved by the Administrative Law Judge provided that the Chief Administrative Hearing Officer does not vacate or modify the Administrative Law Judge's order pursuant to Section 68.52 of the Rules.

This Agency Action by the Chief Administrative Hearing Officer modifies the Administrative Law Judge's Order and incorporates the other provisions of the Administrative Law Judge's Order which have not been amended, revised or deleted. This action is the Final Order and hereby closes the file and disposes of all proceedings.

Dated June 16, 1988.

WILLIAM P. TYSON
Chief Administrative Hearing Officer